

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

ANA WEBB, et al.,

Plaintiffs,

v.

VOLVO CARS OF N.A., LLC,  
VOLVO CAR CORPORATION, and  
VOLVO CARS OF N.A., INC.,

Defendants.

Civil Action No. 13-CV-2394-MMB

**DEFENDANTS' ADDITIONAL EXHIBIT 99-1 EXHIBIT**

Defendant, Volvo Cars of North America, LLC (“VCNA”), improperly also named as Volvo Cars of N.A., Inc., and Volvo Car Corporation (“VCC”) (collectively “Volvo”), at the request of the Court, attaches hereto a more readable copy of Motion to Dismiss Exhibit “1” (two different versions attached).

Dated: February 16, 2018

Respectfully submitted,

By: /s/ Peter W. Herzog III

Peter W. Herzog III (pro hac vice)

Wheeler Trigg O'Donnell LLP

211 North Broadway, Suite 2825

St. Louis, MO 63102

Phone: (314) 326-4129

Fax: (303) 244-1879

pherzog@wtotrial.com

Richard B. Wickersham, Jr.  
POST & SCHELL, P.C.  
Four Penn Center, 13th Floor  
1600 John F. Kennedy Blvd.  
Philadelphia, PA 19103  
Phone: (215) 587-6612  
Fax: (215) 320-4875  
rwickersham@postschell.com

Attorneys for Defendants,  
Volvo Cars of North America, LLC  
and Volvo Car Corporation

**Certificate of Service**

I, Peter W. Herzog III, certify that the foregoing was electronically filed on February 16, 2018 using the Court's CM/EMF system, and was thereby served upon all registered users in this case.

By: /s/ Richard B. Wickersham, Jr.

**COMMONWEALTH OF PENNSYLVANIA**  
**CERTIFICATE OF TITLE FOR A VEHICLE**

VEHICLE IDENTIFICATION NUMBER: 1G1ZE5E50D0540001  
 MAKE OF VEHICLE: VOLVO  
 MODEL: 127001  
 BODY TYPE: SEDAN  
 DATE PAID: 12/31/08  
 DATE OF ISSUE: 12/31/08  
 UNLADEN WEIGHT: 3500 LBS  
 GVWR: 4000 LBS  
 OCCUPANCY: 5  
 TITLE BRANDS: 1 - ACTUAL MILEAGE  
 2 - MILEAGE EXCEEDS THE MECHANICAL UNITS  
 3 - NOT THE ACTUAL MILEAGE  
 4 - NOT THE ACTUAL MILEAGE OCCURRED TEMPORARILY  
 5 - EXEMPT FROM ODOMETER DISCLOSURE

REGISTERED OWNER(S):  
**CAROL E & JOHN M CHRZANOWSKI**  
 2962 RICHMOND ST  
 PHILADELPHIA, PA 19134

SECOND LIEN FAVOR OF:  
 IF A SECOND LIENHOLDER IS ISSUED UPON ANTIHOLD OF THE FIRST LIE, THE SECOND LIENHOLDER MUST FORWARD THIS TITLE TO THE BUREAU OF MOTOR VEHICLES WITH THE APPROPRIATE FEE AND TAX.

DATE: 07-23-12

BY: ALLEN D BIEHLER

**DEFENDANT'S EXHIBIT**  
**WEBB 35**  
 7-23-12

**D. APPLICATION FOR TITLE AND LIEN INFORMATION**

IF A CO-PURCHASER OTHER THAN YOUR SPOUSE IS LISTED AND YOU WANT THE TITLE TO BE ISSUED AS "JOINT TENANTS WITH RIGHT OF SURVIVORSHIP" (ON DEATH OF ONE OWNER, 50% (1/2) GOES TO SURVIVING OWNER) CHECK HERE ☒ OTHERWISE, THE TITLE WILL BE ISSUED AS "TENANTS IN COMMON" (ON DEATH OF ONE OWNER, INTEREST OF DECEDENT OWNER GOES TO HEIR OR ESTATE)

IF NO LIEN CHECKED IS THIS AN EMT? (IF YES, FEE REQUIRED) YES ☐ NO ☒

1ST LIENHOLDER FINANCIAL INSTITUTION NUMBER:

1ST LIENHOLDER NAME:

STREET:

CITY: STATE: ZIP:

IF NO LIEN CHECKED IS THIS AN EMT? (IF YES, FEE REQUIRED) YES ☐ NO ☒

2ND LIENHOLDER FINANCIAL INSTITUTION NUMBER:

2ND LIENHOLDER NAME:

STREET:

CITY: STATE: ZIP:

**COMMONWEALTH OF PENNSYLVANIA**  
 Notary Seal: NOTARY  
 City of Philadelphia, Philadelphia County  
 My Commission Expires July 20, 2011  
 Member, Pennsylvania Association of Notaries

**Ana Cristina Soares**  
**Ana Cristina Soares**

**STORE IN A SAFE PLACE - IF LOST APPLY FOR A DUPLICATE - ANY ALTERATION OR ERASURE VOIDS THIS TITLE**

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PAGE 05/08

(TYPE OR PRINT) Certificate of Title must be submitted within 20 days, unless the purchaser is a registered dealer holding the vehicle for resale.

**WARNING -** FEDERAL AND STATE LAWS REQUIRE THAT YOU STATE THE MILEAGE IN CONNECTION WITH THE TRANSFER FROM CURRENT OWNER TO COMPLETE OR PROVIDING A FALSE STATEMENT MAY RESULT IN FINES OR IMPRISONMENT.**ASSIGNMENT OF TITLE -**

With certainty, to the best of my/our knowledge that the odometer reading is correct, and reflects the actual mileage of the vehicle.

Unless one of the following boxes is checked:

☐ Reflects the amount of mileage in excess of its mechanical limits. ☐ Is NOT the actual mileage.

WARNING: Odometer discrepancy. We further certify that the vehicle is free of any encumbrance and that the ownership is hereby transferred to the person(s) or the dealer listed.

SUBSCRIBED AND SWORN TO BEFORE ME:

NO. DAY MONTH YEAR

SIGNATURE OF PERSON ADMINISTERING OATH

COMMONWEALTH OF PENNSYLVANIA

OFFICE OF THE REGISTRAR

100 N. 3rd St., Suite 1000

PHILADELPHIA, PA 19106

Member, Pennsylvania Association of Registrars

LAST FIRST MIDDLE NAME

PURCHASER OR FULL BUSINESS NAME

CO-PURCHASER

STREET ADDRESS

CITY

STATE

ZIP

PURCHASE PRICE ON DTH

PURCHASER SIGNATURE

CO-PURCHASER SIGNATURE

SELLER SIGNATURE

CO-SELLER SIGNATURE

SELLER MUST SIGNIFY NAME HERE

CO-SELLER MUST SIGNIFY NAME HERE

SELLER SIGNATURE

CO-SELLER SIGNATURE

SELLER SIGNATURE

CO-SELLER SIGNATURE

SELLER SIGNATURE

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CO-SELLER SIGNATURE

An employee of an issuing agent licensed as a vehicle dealer by the Pennsylvania State Board of Vehicle Manufacturers, Dealers and Salespersons may verify a person's signature in lieu of notarization.

CHECK HERE IF APPLICATION FOR DEALER TITLE AND COMPLETE SECTION D, TITLING FEES :

MV-4 (508)

MAY 04 2009

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COMMONWEALTH OF PENNSYLVANIA									
CERTIFICATE OF TITLE FOR A VEHICLE									
VEHICLE IDENTIFICATION NUMBER									
YEAR									
MAKE OF VEHICLE									
MODEL									
DATE OF PURCHASE									
DATE OF TITLE									
DATE OF ISSUE									
UNLADEN WEIGHT									
GVW									
OCWR									
TITLE BRAND									
REGISTERED OWNER(S)									
CAROL E & JOHN M CHRZANOWSKI									
2962 RICHMOND ST									
PHILADELPHIA PA 19134									
FIRST LIEN FAVOR OF									
SECOND LIEN FAVOR OF									
FIRST LIEN RELEASED									
DATE									
BY									
AUTHORIZED REPRESENTATIVE									
MAILING ADDRESS									
090279									
CAROL E & JOHN M CHRZANOWSKI									
2962 RICHMOND ST									
PHILADELPHIA PA 19134									
SECOND LIEN RELEASED									
DATE									
BY									
AUTHORIZED REPRESENTATIVE									
ALLEN D BIEHLER									
D. APPLICATION FOR TITLE AND LIEN INFORMATION									
BORN, MARRIED AND SWORN TO BY									
COMMONWEALTH OF PENNSYLVANIA									
SIGN IN PRESENCE OF: Notary Public									
City of Philadelphia, Philadelphia County									
My Commission Expires July 20, 2011									
Member, Pennsylvania Association of Notaries									
If a co-purchaser other than your spouse is listed and you want the title to be listed as "Joint Tenants With Right of Survivorship" (On death of one owner, title goes to surviving owner.) CHECK HERE <input type="checkbox"/> . Otherwise, the title will be issued as "Tenants in Common" (On death of one owner, interest of deceased owner goes to his/her heirs or estate).									
IF NO LITIAL CHECK <input type="checkbox"/> IS THIS AN EIT? (IF YES, FIN REQUIRED) YES <input type="checkbox"/> NO <input type="checkbox"/>									
1ST LIENHOLDER FINANCIAL INSTITUTION NUMBER:									
1ST LIENHOLDER NAME:									
STREET:									
CITY:									
STATE:									
ZIP:									
IF NO 2ND LIEN CHECK <input type="checkbox"/> IS THIS AN EIT? (IF YES, FIN REQUIRED) YES <input type="checkbox"/> NO <input type="checkbox"/>									
2ND LIENHOLDER FINANCIAL INSTITUTION NUMBER:									
2ND LIENHOLDER NAME:									
STREET:									
CITY:									
STATE:									
ZIP:									
STORE IN A SAFE PLACE - IF LOST APPLY FOR A DUPLICATE - ANY ALTERATION OR ERASURE VOIDS THIS TITLE									

(TYPE OR PRINT) Certificate of Title must be submitted within 20 days, unless the purchaser is a registered dealer holding the title for resale.

**WARNING**

FEDERAL AND STATE LAWS REQUIRE THAT YOU STATE THE MILEAGE IN CONNECTION WITH THE TRANSFER OF OWNERSHIP. FAILURE TO COMPLETE OR PROVIDING A FALSE STATEMENT MAY RESULT IN FINES OR IMPRISONMENT.

A. ASSIGNMENT OF TITLE		B. RE-ASSIGNMENT OF TITLE BY REGISTERED DEALER		C. RE-ASSIGNMENT OF TITLE BY REGISTERED DEALER		D. RE-ASSIGNMENT OF TITLE BY REGISTERED DEALER			
<p>I, the undersigned, hereby certify, to the best of my knowledge that the odometer reading is <u>19,837</u> miles and reflects the actual mileage of the vehicle.</p> <p>Unless one of the following boxes is checked:</p> <p><input type="checkbox"/> Reflects the amount of mileage in excess of its mechanical limits. <input type="checkbox"/> Is NOT the actual mileage.</p> <p>WARNING: Odometer discrepancy. We further certify that the vehicle is free of any encumbrances and that the ownership is hereby transferred to the person(s) or the dealer listed.</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME: <u>7</u> DAY <u>09</u> YEAR</p> <p>SIGNATURE OF PERSON ADMINISTERING OATH: <u>[Signature]</u></p> <p>COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF REVENUE BUREAU OF TAXES PHILADELPHIA OFFICE OF THE COMMISSIONER JULY 20, 2011 Member, Pennsylvania Association of Registers</p>		<p>PURCHASER OR FULL BUSINESS NAME: <u>Spares for Cristina</u></p> <p>CO-PURCHASER: <u>[Blank]</u></p> <p>STREET ADDRESS: <u>3929 R. and B. St.</u></p> <p>CITY: <u>Phila</u></p> <p>STATE: <u>PA</u> ZIP: <u>19137</u></p> <p>PURCHASE PRICE OR CASH: <u>[Blank]</u></p> <p>PURCHASER AND/OR CO-PURCHASER MUST SIGN AND PRINT NAME HERE: <u>[Signature]</u></p> <p>BELLER MUST SIGN AND PRINT NAME HERE: <u>[Signature]</u></p>		<p>PURCHASER OR FULL BUSINESS NAME: <u>[Blank]</u></p> <p>CO-PURCHASER: <u>[Blank]</u></p> <p>STREET ADDRESS: <u>[Blank]</u></p> <p>CITY: <u>[Blank]</u></p> <p>STATE: <u>[Blank]</u> ZIP: <u>[Blank]</u></p> <p>PURCHASE PRICE OR CASH: <u>[Blank]</u></p> <p>PURCHASER AND/OR CO-PURCHASER MUST SIGN AND PRINT NAME HERE: <u>[Blank]</u></p> <p>BELLER MUST SIGN AND PRINT NAME HERE: <u>[Blank]</u></p>		<p>PURCHASER OR FULL BUSINESS NAME: <u>[Blank]</u></p> <p>CO-PURCHASER: <u>[Blank]</u></p> <p>STREET ADDRESS: <u>[Blank]</u></p> <p>CITY: <u>[Blank]</u></p> <p>STATE: <u>[Blank]</u> ZIP: <u>[Blank]</u></p> <p>PURCHASE PRICE OR CASH: <u>[Blank]</u></p> <p>PURCHASER AND/OR CO-PURCHASER MUST SIGN AND PRINT NAME HERE: <u>[Blank]</u></p> <p>BELLER MUST SIGN AND PRINT NAME HERE: <u>[Blank]</u></p>		<p>PURCHASER OR FULL BUSINESS NAME: <u>[Blank]</u></p> <p>CO-PURCHASER: <u>[Blank]</u></p> <p>STREET ADDRESS: <u>[Blank]</u></p> <p>CITY: <u>[Blank]</u></p> <p>STATE: <u>[Blank]</u> ZIP: <u>[Blank]</u></p> <p>PURCHASE PRICE OR CASH: <u>[Blank]</u></p> <p>PURCHASER AND/OR CO-PURCHASER MUST SIGN AND PRINT NAME HERE: <u>[Blank]</u></p> <p>BELLER MUST SIGN AND PRINT NAME HERE: <u>[Blank]</u></p>	

An employee of an issuing agent licensed as a vehicle dealer by the Pennsylvania State Board of Vehicle Manufacturers, Dealers and Salespersons may verify a person's signature in lieu of notarization.

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MV-3 (8-08)

Commonwealth of Pennsylvania  
PA Department of Transportation  
Bureau of Motor Vehicles  
Harrisburg, PA 17104-2816

# MOTOR VEHICLE VERIFICATION OF FAIR MARKET VALUE BY THE ISSUING AGENT

This form is used in conjunction with Forms MV-1, MV-4ST,  
MV-217A and an on-line processing Applicant Summary Statement.

FOR DEPARTMENT USE ONLY

090345

TYPE OR PRINT ALL INFORMATION AS REQUESTED

**A VEHICLE DESCRIPTION**

Model Year 1997	Make of Vehicle Volkswagen	Model	Body Type SDN	PURCHASE PRICE
Vehicle Identification Number (VIN) 7VILS0540V139446		Odometer Reading 61,859,000 (No tenths)		

**B AGENT VERIFICATION OF FAIR MARKET VALUE - Check (✓) the appropriate block:**

☒ I certify that the average Fair Market Value for the vehicle described above is as verified by the current edition of a PennDOT approved publication.  
Name of Publication: Black Book

☐ This vehicle or the fair market value for this vehicle was not listed in a current edition of a PennDOT approved publication in my possession.

Signature of Authorized Agent: [Signature] Agent Number: 13-2313 Date: 5/1/09

**C PURCHASER INFORMATION**

Last Name (or Full Business Name) <u>Soares Ana Cristina</u>	First Name <u>Ana</u>	Middle Name <u>Cristina</u>	PA DC/Photo ID#	Date of Birth
Co-Purchaser Last Name	First Name	Middle Name		

**D PURCHASER/SELLER EXPLANATION**

Explain in detail why the purchase price listed on Form MV-1, MV-4ST, MV-217 or Applicant Summary Statement is less than 80% of the average Fair Market Value, or if the vehicle is over 15 years old and the purchase price is less than \$500, explain how the purchase price was determined, or if the vehicle is not listed in a PennDOT approved publication, explain how the purchase price as listed in Section A was determined. Please use additional paper if more space is required. **NOTE TO PURCHASER:** An additional audit of this vehicle sale by the Department of Revenue may occur. Please retain copies of this form, your cancelled check or original cash receipt, and your receipt from the seller of this vehicle, along with either your copy of the Application for Certificate of Title (MV-1), the Vehicle Sales and Use Tax Return/Application for Registration (MV-4ST) or the Application by Financial Institutions for Certificate of Title After Default by Owner (MV-317A). If you fail to reply to the Department of Revenue, you will be assessed for the estimated amount of tax due.

Bad motor

**E SEAL AND SIGNATURE OF SELLER - NOT REQUIRED FOR VEHICLES PURCHASED OUT-OF-STATE**

SUBSCRIBED AND SWORN TO BEFORE ME: MONTH <u>5</u> DAY <u>09</u> YEAR <u>09</u>	I/We state that I/we have read and signed this form after its completion, and I/we swear or affirm that the statements made herein are true and correct, and that any statement made on or pursuant to this form is subject to the penalties of 18 PA C.S. Section 4903(a)(2) (relating to false swearing), which shall include punishment of a fine not exceeding \$5,000, or to a term or imprisonment of not more than two years, or both.
SIGNATURE OF SELLER <u>[Signature]</u>	SIGNATURE OF CO-SELLER <u>[Signature]</u>
TELEPHONE NUMBER ( )	TELEPHONE NUMBER ( )

**F SEAL AND SIGNATURE OF PURCHASER**

SUBSCRIBED AND SWORN TO BEFORE ME: MONTH <u>5</u> DAY <u>09</u> YEAR <u>09</u>	I/We state that I/we have read and signed this form after its completion, and I/we swear or affirm that the statements made herein are true and correct, and that any statement made on or pursuant to this form is subject to the penalties of 18 PA C.S. Section 4903(a)(2) (relating to false swearing), which shall include punishment of a fine not exceeding \$5,000, or to a term or imprisonment of not more than two years, or both.
SIGNATURE OF PURCHASER <u>[Signature]</u>	SIGNATURE OF CO-PURCHASER <u>[Signature]</u>
TELEPHONE NUMBER ( )	TELEPHONE NUMBER ( )

THIS FORM MAY BE PHOTOCOPIED

Messenger No.

MAY 04 2009

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